

## ► **New Laws about Workplace Health and Safety**

You will be hearing a lot about workplace health and safety in the months to come. Significant changes in Ontario's Occupational Health and Safety Act have been made through Bill 208.

Bill 208 was passed by the Ontario Legislature in June 1990. It will change the Act. Most of the changes take effect January 1, 1991.

The Act applies to almost all employers and employees in Ontario. They should read this pamphlet. It describes the major changes in the law and describes how to get more information.

## ► **Why is the Act Being Changed?**

Everyone agrees. We must improve our province's health and safety record.

In 1989 alone, more than eight million days of work were lost because of job-related injuries and illnesses. In 1988 – the last year for which final figures are available – more than 300 people died from causes related to their work.

In addition to this needless tragedy, compensation payments to the victims cost Ontario's economy more than 1.7 billion dollars in 1989.

## ► **How Changing the Law Will Help**

To reduce workplace injuries and illnesses, we need more participation in health and safety matters by those who are affected most – employees and employers. Bill 208 amends the Act to provide for this.

However, participation in itself is not enough. The stakes are too high. Both employers and employees need more training to improve their knowledge about occupational health and safety. The new Act encourages this training and, in some cases, makes it mandatory.

## ► **Joint Health and Safety Committees Will Be Affected**

Joint Occupational Health and Safety committees – formal workplace committees composed of employers and employees who look into health and safety issues in a workplace – have long been our most important tool for reducing workplace accidents and illnesses. This will not change.

What *will* change is that those committees will become more effective and responsible for workplace health and safety. Here are some of the most important changes regarding joint committees:

### ■ **If You Don't Have a Committee Now, You May Be Required to Have One in the Future.**

Almost all workplaces with 20 or more employees will be required to have a committee. This includes workplaces which have not had committees before, such as retail stores, offices and construction projects lasting three months or more.

### ■ **Your Present Committee May Have to be Larger.**

In workplaces with 20 to 49 employees, the committee must consist of at least two members. Where 50 or more are employed, the committee must have at least four members.

At least half the committee members must be non-management employees. These members must be chosen by the employees or by the union, if there is one.

### ■ **Committees Have an Expanded Role in Workplace Health and Safety.**

Committees will have greater responsibilities to inspect the workplace regularly and identify hazards. Members will be entitled to paid time to carry out these duties.

## ► **Smaller Workplaces Will Be Affected by the New Act**

If your workplace has more than five but fewer than 20 employees, no committee is required. However the employees must choose one of their fellow-employees as a Health and Safety Representative, who will have many of the duties and responsibilities of committees.

## ► **New Duties of Employers**

Bill 208 places new basic duties on employers. These include:

- maintaining a health and safety policy
- providing health and safety reports to the joint committee
- responding to the joint committee's recommendations for improving workplace health and safety, in writing, within 21 days
- paying workers' costs for any required medical examination or tests.

## ► **Maximum Fines Are Increased**

Previously, the maximum fine for a corporation convicted of a violation under the Act was \$25,000. Bill 208 increases this maximum fine to \$500,000.

## ► **Ministry Inspectors Will Have Greater Authority**

Bill 208 gives greater enforcement capabilities to inspectors. These include authority to:

- require tests to be carried out
- inspect training materials and attend any training courses given by an employer
- require an employer to set out, in writing, how that employer will comply with an order issued by the inspector.

## ► A New Agency Will Provide Better Health and Safety training

A new Workplace Health and Safety Agency will, among other responsibilities:

- coordinate the activities of safety associations, such as the Construction Safety Association, the Workers' Health and Safety Centre, and the Industrial Accident Prevention Association
- encourage and promote public awareness of occupational health and safety
- promote research into how we can make Ontario's workplaces safer and healthier
- set training standards for those members of committees who will be "certified".

## ► Future Directions: "Certified Committee Members"

The new Workplace Health and Safety Agency will set new training standards that must be met by every joint health and safety committee. Workplaces that have committees must choose at least two members – one employer representative, one employee representative – to take this special training.

Those members with special training will be certified by the Agency and will have special roles and responsibilities in their workplaces.

Certified committee members will be a valuable resource in each workplace's efforts to reduce accidents and illnesses.

## ► Our Concern and Cooperation Will Make a Safer Ontario

All of us – both employees and employers – have rights and responsibilities under the Occupational Health and Safety Act.

But the law will only work if there is genuine concern for better health and safety, and a spirit of cooperation among employees and employers.

A safer Ontario is a goal that we all share. It's worth working for!

## ► For More Information

Employees and employers can get more information on the changes to the Occupational Health and Safety Act directly from the Ministry of Labour.

A detailed explanation will soon be available in booklet form.

To obtain this publication, or to get immediate answers to questions about Bill 208, contact your local Ministry of Labour office (check your telephone book's Blue Pages under "Government of Ontario", then "Labour").

A Bill 208 telephone "hotline" will also be set up and advertised in the Fall of 1990.

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## ► The New Occupational Health and Safety Law for Ontario

# How Bill 208 Affects You

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► **Important changes have been made to Ontario's Occupational Health and Safety Act. These changes will affect most workplaces, beginning January 1, 1991.**

This brochure is also available in French, Italian, Spanish, Portuguese, Chinese and Vietnamese.

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